

REMARKS:

In the Office Action mailed September 19, 2006, the Examiner indicated that claims 1-3 and 5-26 were rejected under § 101. Claims 1, 17 and 19-26 are amended herein and claim 4 remains cancelled. No new matter is presented. Proper support for the amendments can be found at least on page 4, line 20 through page 5, line 9; page 5, lines 19-28; and Fig. 3 including corresponding text.

Thus, claims 1-3 and 5-26 are pending and under consideration. The rejections are traversed below.

EXAMINER INTERVIEW:

Applicants would like to thank the Examiner for taking the time to discuss the § 101 rejection at various times, prior to and after issuance of the outstanding Office Action.

Applicants also respectfully request that the Examiner contact the undersigned if there are any outstanding matters that necessitate discussion.

REJECTION UNDER 35 U.S.C. § 101:

Claims 1-3 and 5-26 were rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter. Claims 1, 17 and 19-26 are amended herein.

Independent claims 1, 17 and 19-26 are directed to a method and system for passing algorithms in a dependency graph of a graphics creation process where "a graphic" results from the graphics creation process, a useful, tangible, and concrete result. Accordingly, claims 1, 17 and 19-26 recite a method and system for graphics creation within the technological arts providing a useful, concrete, tangible result.

Claim 1, by way of example recites, "passing a pointer to an algorithm associated with a first dependency node to a second dependency node", "executing the algorithm as part of an evaluation of the second dependency node" and "displaying a graphic resulting from the graphics creation process."

Similarly, independent claims 17 and 19-26 recite, "displaying", "generating" and/or "exporting" a graphic resulting from execution of the algorithm.

As recited in the independent claims, a concrete, tangible and useful result is achieved not only by evaluating a dependency graph of a graphics creation process and executing an

algorithm but also by displaying, exporting or generating a graphic resulting from the graphics creation process. (see, State Street Bank & Trust Co. v. Signature Financial Group Inc., 47 U.S.P.Q.2d 1596 (Fed. Cir. 1998)).

It is respectfully submitted that because independent claims and dependent claims dependent therefrom satisfy the requirements of 35 USC §101, withdrawal of the rejection is requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.


Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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